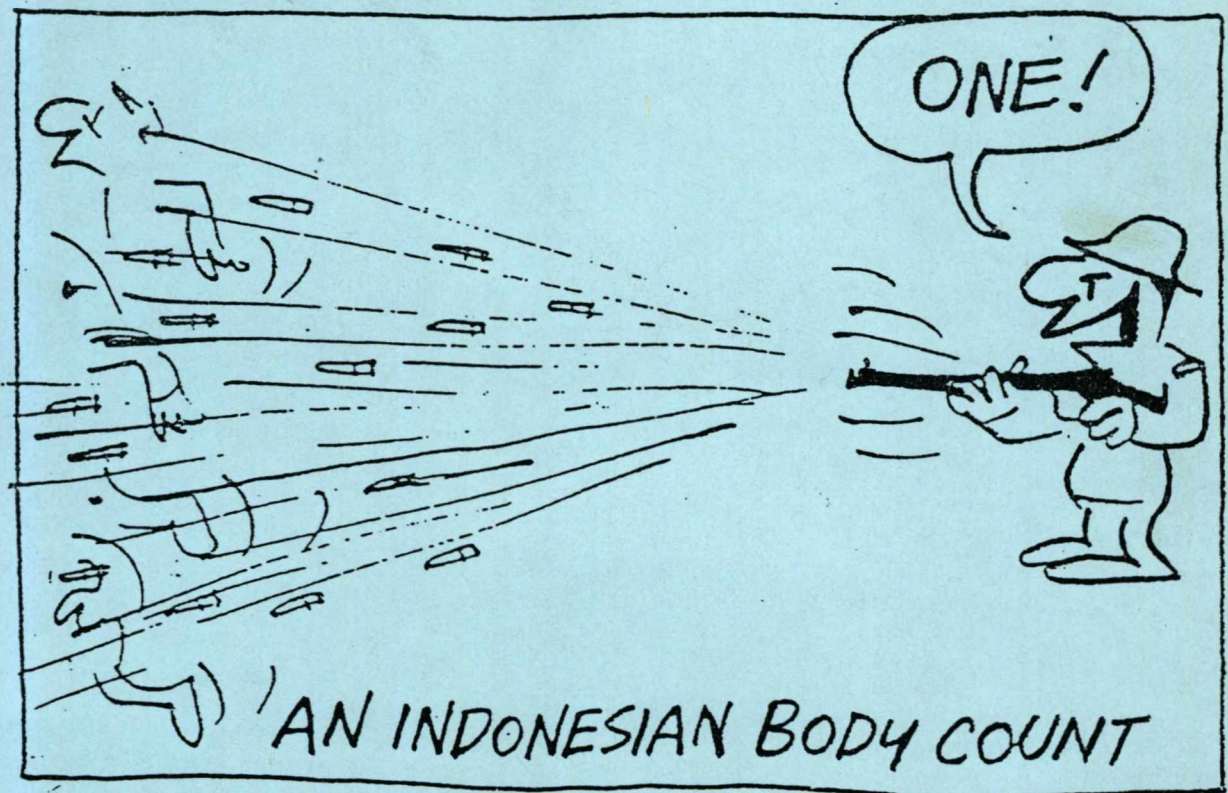


SUCCEEDING AT SLAUGHTER: THE DILI MASSACRE AND POLITICAL POWERPLAY IN INDONESIA

Infight's Report on the November 12 1991 Dili Incident
Jakarta, February 1992



INTRODUCTION

Conflict and antagonism had been stewing and bubbling for months in East Timor before it erupted in the massacre of hundreds of demonstrators on November 12, 1991. During its period of existence, the New Order regime has committed many such massacres. But the Dili Incident departs in some ways from previous tradition. Never before has a massacre received such widespread coverage in the local media. The formation of an investigative team by the government, such as that which undertook investigation into the Dili Incident, was previously unheard of. Likewise public apologies by military personnel to families of their victims, let alone their removal from their posts.

The political manoeuvrings that followed the massacre may at first glance be interpreted as evidence that the military can no longer get away with the blatant violations of human rights that it has become accustomed to committing during the period of New Order rule. That is, the follow-up to the incident, including the formation of the National Investigative Committee and the removal of the Commander for Territorial Operations, R. Warouw, as well as the Regional Commander, S. Panjaitan, from their respective posts, may seem to represent a triumph for human rights.

But to accurately evaluate the effect of the Dili incident on the human rights situation in Indonesia, the affair needs to be viewed in the context of the general political situation of the New Order regime. Only then does it become evident that the political chess-play that has taken place as a result of the Dili massacre cannot be seen as a victory for human rights.

The New Order Regime: No Human Rights

The most basic point to be made here is that the Indonesian system is not based on the principle of human rights or democracy. The very power of the regime is based on the extra-legal processes by which it ultimately wrenched power. After effectively removing Sukarno from the Presidency with a letter that authorized Suharto to take control of the security apparatus in the interests of public safety, Suharto and his followers in the military proceeded to do away with their political opposition by a method of systematic slaughter. Estimates of the number of supposed PKI (*Partai Komunis Indonesia*: Indonesian Communist Party) members and sympathizers killed during the 1966-9 massacres range from 500,000 to 1 million.

The resort to mass murder by the regime in the shows that its continued survival rests more on its ability to manage dissent than on legitimacy that arises out of popular acceptance. The regime has attempted to contain dissent through extending its control over the institutional structures and political processes occurring in society at large. Failing this, the 'security approach', military jargon for the obliteration of dissenting elements, has continued to be deployed.

Following the massacres of 1966-8 the regime set about the task of mass depoliticisation included the military's taking control of the state apparatus by limiting the number of political parties to two (*Partai Persatuan Pembangunan*: PPP [The United Development Party] and the *Partai Demokrasi Indonesia*: PDI [Indonesian Democratic Party]). The PPP and the PDI were prevented from functioning as independent political parties by their isolation from contact with the Indonesian populace following the implementation of the floating mass doctrine in 1972. The floating mass doctrine espoused that villagers should not be distracted from the task of economic development by political activities, and in the name of this doctrine the political party branches below the level of regency were banned.

The ban on party activities at the village level did not, however, extend the 'political grouping' Golkar, the military's political tool. Through a system of 'Golakarisation' (purges), the army took control of the civil bureaucracy.

Large-scale massacres of demonstrators by supposed safeguarders of public safety are not unknown in Indonesia. They could even said to be a common occurrence. A long list of such 'incidents', such as Tanjung Priok (1984), Aceh (1990), Ujung Pandang (1987) and Lampung (1989) make their mark on New Order History at regular intervals. So it is not surprising that the Dili massacre left a familiar taste in the mouths of Indonesians.

Perceptions of East Timor in Indonesia: Governmental Control of Information

The Question of Timor has been on the United Nations agenda since the Indonesian invasion in 1975 and subsequent human rights violations against the East Timorese people have been documented and continually monitored by several human rights organizations in the West. However, little information about the violence about of the invasion and subsequent occupation of the territory, has been documented in Indonesian, let alone reached the Indonesian populace through media channels. This is not unusual for Indonesia where information about the frequent violent military reactions to public expressions of mass discontent, is tightly controlled by the regime. Indeed the government has devised an effective system of press licensing, an extralegal warning and disciplinary devices used to prevent publication of 'dangerous' information.

Unlike other such striking human rights violations committed by the military such as Aceh, Tanjung Priok, The 'Mysterious Killings' and Lampung, all of which have been subject to media black-outs, the Dili Incident and related events received widespread press coverage over the months of November and December. This has meant that the territory has gained a previously unknown public profile and that the room for debate on the question of military presence and development there was pried open.

However, public debate on the issue of East Timor has been limited by several factors. Firstly, opportunities for the press or independent parties to conduct their own investigations into the Dili Affair have remained restricted. Thus, till now within Indonesia there have been no investigative efforts independent of governmental control. When covering the National Mission of Enquiry's investigation, efforts by journalists to carry out more probing investigations that the mission itself met with reprimands from the local military apparatus, who, according to a journalist source, were waiting armed behind every piece of scrub to shoo away any camera-toting reporter. A brave attempt to balance the one-eyed reporting was made by *Jakarta Jakarta* editorial staff who published interviews with three eye-witnesses of the massacre (Edition January 4-10, 1992). Following the publication of the interviews, three editorial staff were sacked. It is also regrettable that the reportage of the affair in the Indonesian press was limited to news items. Few editorials appeared in the daily newspapers, and thus little analysis of the history behind the massacre. Not once was the United Nations Resolution on the Question of Timor mentioned, and there has been little analysis of the reasons behind the aid/trade boycotts and the protests that took place in several Western countries.

So, the explosion of reporting on the territory following the massacre has overlaid the generally held perception of East Timorese people as either ungrateful terrorists, or primitives, or both. And the restrictions that continue to be placed on the media allow few opportunities for these stereotypes to be challenged. That the mass media in Indonesia continues to meet with restrictions in any attempts it makes at 'objective' reporting reflects that the government remains closed to the concept of alternative opinion, or debate, an argument that is further reinforced by Alatas's refusal to receive a United Nations investigative team into the Dili Affair.

The government line on East Timor has been characterized by the development myth that blankets any debate on the issue of human rights. The Fretilin guerrillas, as those in Aceh, are branded as GPK (*Gerakan Pengacau Keamanan*: Disturbers of Public Safety), an extreme and isolated handful of trouble-makers who have little support among East Timorese civilians. According to the official version of East

Timorese history, Indonesia liberated the colonial backwater from its 400 years of neglect by the Portuguese and proceeded to civilize its people by building roads, bridges and schools.

Such is the myth that reaches the Indonesian populace through the well-controlled media channels. In this way it can be said that general perceptions on East Timor have inevitably followed government line. The question of the quality of development, including the disproportionate military presence and its role in human rights violations against the East Timorese people, until recently had never been publicly debated and are very rarely privately discussed. Indonesian people who are curious about the background to the East Timorese issue are blocked off from information about the social causes of the current situation there. Not many Indonesians, especially young Indonesians, are aware that historically, East Timor is not part of Indonesia; that Indonesia invaded the territory in 1975, that the United Nations has been adopting resolutions on the Question of Timor since 1975 and that many of its members still refuse to recognise integration, that the East Timorese Bishopry does not fall under the authority of the Indonesian Council of Churches but is directly responsible to the Vatican. There is also little information about the socio-cultural problems that arise in the traditional East Timorese context, to provide the Indonesian populace with background information on the various 'incidents' that occur there. The question of why the majority of the people taking part in both the November 12 and other previous demonstrations are youths, who would have been aged between 1 and 5 years at the time of invasion, has likewise not been explored.

Domestically the government has deflected Western criticism of its activities in East Timor, including the United Nations resolution on the Question of Timor, by whipping up a kind of 'developmental nationalism' whenever the issue gains a high profile in the international area. The argument that East Timor is an internal Indonesian affair has become a standard government rhetoric both domestically and internationally. Foreigners, be they governments or ordinary citizens, who press the question of Timor are vehemently accused of being imperialist meddlers.

Following the Dili massacre, the question of human rights in East Timor has been much coloured by the extreme magnification by the government of the burning of an Indonesian flag by Australian protesters, rumors of an Australian NGO as the 'puppet master' of the Dili Incident, and frequent public threats to domestic NGO's who may be considered to be 'betraying national interests'.

Discussion on the issue of East Timor within Indonesia, therefore, continues to take place within the limits set down by the regime. Suharto's assumption of the role as 'discipliner of the military', while allowing for certain freedoms on the debate on the issue of East Timor in the media, has also ensured his control over the direction of that debate. His new image as an 'objective and responsible statesman' has stolen the political space for opposition and has ensured the public discussion on the issue has been kept within the realm of 'appropriate development'.

Alternative Indonesian Views on East Timor

The official version of East Timorese history has not, however gone unchallenged. In 1990, the final report of a socio-anthropological research project was jointly published Bank Indonesia, the East Timor Regional Development Planning Body (governmental), and the Research Centre for Village Development of the prestigious Gajah Mada University. The report was commissioned by Bank Indonesia as an attempt to find some answers to the perplexing question of why there is so little interest on the part of investors in East Timor. The following points were included in the report's concluding remarks:

1. That the disproportionate military presence in East Timor was causing 'trauma of military overdose' on the part of the East Timorese people.
2. That the integration process of the past 16 years had little to do with local history and culture.
3. That agricultural development policies in East Timor, when implemented through the existing Indonesian bureaucratic structure, have done little to raise the welfare of East Timorese peasants.
4. That the existing social and economic structure in East Timor offers few employment opportunities for East Timorese high school and university graduates, giving rise to youth discontent and social tension.

The report does not go so far as mentioning the basic issue underlying the social and economic problems the East Timorese are presently being subjected to: that of self-determination. It did, however, succeed to some extent in influencing government rhetoric, if not policy. Following the issuance of the report, the phrase, "winning the hearts and minds of the East Timorese people" became somewhat of a cliché in government statements concerning the territory.

Also in 1990, Inflight (Indonesian Front for the Defense of Human Rights), the first Indonesian human rights organization to raise and pursue the issue of human rights in East Timor as a distinct issue, was formed. Inflight's concern for the East Timorese issue is based on an understanding of East Timorese history, including the process of integration otherwise known as 'development' (as detailed below) as a violation of the East Timorese people's right to freely determine their country's fate.

East Timorese History*

*Parts of this section are taken from *East Timor: Towards a Just Peace in the 1990s* [Australian Council For Overseas Aid]

History of the Independence Movement under the Portuguese

Faced with severe economic problems and a coup d'état at home, in 1974 the Portuguese administration that had for 400 years colonised East Timor began to hastily make preparations to withdraw from the territory after 400 years of colonisation. As part of its decolonisation effort, the Portuguese administration rearranged its political party and in May 1974 the former ANP (Acaao National Popular) re-emerged as the *Uniao Democratic Timorensa*: Timorese Democratic Union (UDT). Consequently, a party then known as the *Assoacio Social Democratic Timorensa*: East Timorese Social Democratic Association (ASDT) emerged in opposition to the UDT. In September of 1974 the ASDT became Fretelin (*Frente Revolucioner Timor Leste Independente*: the Revolutionary Front for East Timorese Independence). The two parties, UDT and Fretelin, went ahead to form a proindependence coalition in January 1975.

However not long after the differences in vision between the two parties resulted in sharp conflict and in May 1975 UDT left the coalition under pressure from Indonesia to oppose Fretelin. Indonesian pressuring of UDT formed the one of the first steps in its 'Commando' military operation aimed at destabilising the political situation within East Timor.

This task was much facilitated by the fact that the decolonisation process that had been initiated by the Portuguese had been left uncompleted. Throughout this period Indonesian pressure and propaganda were destructive influences on political development in East Timor. In August 1975, a group of UDT leaders who had been told by Indonesian intelligence chiefs that Indonesia would intervene if Fretelin gained power, attempted a coup. Fighting broke out in Dili and the central mountain districts. By September 1975, Fretelin, which had the support of most of the rural population, was in control of virtually all Portuguese Timor. The party did, however, continue to recognise Portuguese sovereignty and called on the governor to return to Dili and complete the process of decolonisation. Portugal refused to authorise this and Fretelin thus became a de facto government. Foreign observers who visited at the time recognised that Fretelin governed responsibly and enjoyed popular support.

Short-Lived Independence

Indonesian pressure increased throughout 1975. In March Indonesian authorities closed West Timor to journalists and in September, after Fretelin's victory in the civil war, Indonesian forces mounted to undercover operations in the western areas of East Timor. On November 28, Fretelin leaders declared independence, proclaiming the Democratic Republic of East Timor with Xaver do Amaral as President. On 7 December 1975, Indonesia launched its attack on Dili.

Invasion and Occupation

Since the Indonesian invasion and the subsequent murder of hundreds of thousands of East Timorese, this territory has become known as "one of the world's sadder places". The war resulting from the Indonesian military attack has been referred to as one of the most cruel wars of the 20th century.

The fierceness of the Indonesian military did not stop at the rape and pillage, the murder and the destruction of the invasion. Over the 16 years of its occupation of, the Indonesian military has become infamous for the gross violations of human rights it has continued to commit against the East Timorese people. And at the core of all the torture and executions, of the mourning, the hunger and the fear, is the denial by the Indonesian occupiers of the East Timorese people's basic right to self-determination.

The Indonesian military's frustration at its failure to quell the flame of resistance has only caused it to become all the more fierce in its attempts to wipe out all signs of opposition to integration. Not a few East Timorese have fallen victim to the military's arrests and rapes, the tortures, detentions and killings of the past 16 years. During the invasion, no less than 200,000 East Timorese have died at the hands of the Indonesian military. Since 1988, an estimated 4000 East Timorese (including those arrested before Suharto's visit in 1988 and those arrested as a result of the Dili Massacre) accused of 'anti-integration activities' have been detained. Currently, a total of around 50 (22 in Jakarta, 3 in Bali and 32 in Dili) are awaiting trial for alleged 'involvement in the Dili Incident'.

Imperialist Development and the Development of Imperialism

As is the case in other provinces of Indonesia, the prevailing politico-economic structure in New Order Indonesia which necessitates top-down planning, project oriented development and leakage of development funds, places severe restrictions on the participation of the development of the East Timorese people in the development process. Development in East Timor has been characterised by the 'security approach' model. An Orwellian term for war, the 'security approach' has been the way the Indonesian military has re-interpreted destruction as development. Employment of the security approach means that East Timor has been allocated 13 battalions, a total of 11,000 troops (not counting police or intelligence personnel of which there are many) for a territory with a population of 700,000.

The economic and social 'development' currently being implemented in East Timor also play an integral role in the security approach, i.e. in the military's attempt to eradicate East Timorese resistance. The 'development' of East Timor is for and by the military, and therefore bears little relation to the improvement in the quality of life of the East Timorese people.

The Indonesian government is clever at advertising the fact that during the period of Indonesian rule per capita incomes in East Timor have increased by 10-fold from Rp 30,000 to Rp300,000 per annum. However, increases in per capita income have little meaning for a people whose daily lives are dictated by the all-pervasive military presence. The system of food production in East Timor has suffered enormous disruption since 1975. Over 90% of the population has been subject to forced relocation from their ancestral lands, and forbidden from venturing into the inland mountainous areas. The wild fruits and vegetables that grow in the mountains are an important source of food for the Timorese. Traditionally, before the corn harvest when stocks run low the people supplement their diet with food gathered from the hills. With the current restrictions placed on their movements famine is an annual phenomenon.

Such relocation schemes are an integral part of the military's efforts to isolate the guerillas, who operate in the mountainous inland areas of the province, from the contact with the civilian population. Considering the theory that guerilla resistance cannot last longer than 10 years without substantial support from the civilian population, this is a vital step in the military's attempt to eradicate the guerillas.

Likewise, infrastructural development primarily of asphalted roads and bridges has clearly been implemented with the underlying aim of facilitating the Indonesian military's insurgence against the guerillas.

One of the reasons for the military's continued presence in East Timor (the other being that it is one of the 2 'practice grounds' the other being Aceh, for aspiring generals) is its central role in investment in East Timor. Capital investments in East Timor, if not controlled by, must go through the military. the current

Minister for Defence and Security, Benny Moerdani, has significant interests in various corners of the East Timorese economy. Under his protection, Robby Sumpampaw, a Chinese business man, holds the monopoly for the export of coffee from the territory. The monopoly on coffee export has had severe negative effects on the incomes of East Timorese peasants. Since the Portuguese era, a major part of their income has come from coffee. Under the Indonesians, the sole outlet for coffee distribution is the KUD (*Koperasi Unit Desa*: Village Unit Co-operative). However the farmers say that the KUD is merely a tool of Sumpampaw's export company although it masquerades as a farmers co-op. They say they have been subjected farmers to arbitrary decreases in the price of coffee, and that this causes significant decreases in their incomes as a whole.

Moerdani also controls 100 hectares of land between Dili and Baucau which is targetted for marble mining. As agreed to by Benny, Markus Wanandi, the younger brother of CSIS (a Catholic- dominated think-tank aligned to Moerdani, also a Catholic) chief, Yusuf Wanandi, and a Jesuit priest in East Timor is to lead the planned marble operation.

Much of the budget allocated for East Timor has gone to the construction of schools. The Indonesian government is proud of fact that more than 500 primary, junior high and senior high schools, a polytechnic and a university have been constructed under Indonesian rule. It needs to be noted that within the Indonesian education system, there is no element of local history or culture within the formal education system. East Timorese educated under the Indonesians have been subject to the usual New Order propaganda of the illustriousness of the Majapahit kingdom and the wickedness of the now banned Indonesian Communist party. Whilst increases in literacy rates have paralleled intensive construction of school buildings, improved education facilities under the Indonesian have done little to quell the resentment of East Timorese youth for whom there are few employment opportunities in the civil administration after their graduation. Recent efforts have been made to offer employment to young East Timorese in other islands, and in 1990 many high school graduates were transmigrated to Java and elsewhere to work in factories. However, this was perceived as many East Timorese as an effort to clean East Timor of anti-integration elements among the youth before the arrival of the Portuguese Parliament which was later cancelled. In many cases, problems arose when the youths reached their destinations concerning unfair wages and conditions.

Intensified Capitalist Development: A Change in Military Strategy

So long as East Timor remains a war zone, much of its economic potential, from which the military will draw fat profits, will remain untapped. This is because, as a rule, foreign investors will be reluctant to invest in an area which shows signs of being politically instable.

Recent statements by certain high-ranking military personel indicate that the military strategy in East Timor is to undergo some changes. Not long after the massacre, Rudini, Minister for Internal Affairs, made an announcement that the Dili Incident that it was time to leave the security approach behind. This was challenged by Try Sutrisno, Commander in Chief of the Armed Forces, who said in his report that there was still unrest in the territory and thus the need for the security approach to be maintained. Following this, Edy Sudrajat, Army Chief of Staff, recently announced that the military strategy in East Timor was now territorial as opposed to the combat and intelligence operations of the early years of integration. (Suharto is one of the few high-ranking military officers who Suharto will still listen to, and is rumoured to be in line for Sutrisno's job). Hot on Sudrajat's tail, the Governor of East Timor made an announcement welcoming "efforts by conglomerates to take advantage of the economic opportunities offered by East Timor" (*Berita Buana*, 13/1/92).

Coincidentally, the government has increased the budget allocation for East Timor in the next fiscal year by 35.1%, well above the 23.7% increases the other provinces have received. Bappenas (National Development Planning Board) Head Suyanto said that the "government would encourage East Timorese to participate in development", something of an impossibility under the highly- centralised New Order bureaucratic structure. Traditionally, much of the budget for East Timor has been taken up by *Inpres* (*Instruksi Presiden*: Presidential Instruction) funds for rural development, clean water projects, road construction and deforestation.

Industrial development in East Timor will also be heightened as it is drawn into the new zone of co-operation between Australia's Northern Territory and the nine provinces of Eastern Indonesia. A Memorandum of Understanding (MOU) was signed on January 21, 1992 by the Northern Territory and Indonesian governments. The MOU is an attempt to increase trade links by requiring the two territories to work towards establishing co-operation between private sector businesses of the two countries. Several for the signing of the MOU have been mentioned, namely: the proximity between the two territory and Australia's desire for a "vital link between the Northern Territory and the dynamic economies to the North" - Foreign Affairs and Trade jargon for the ununionised labour and cheap land resources that Indonesia offers. Australia's enthusiasm for investing in Indonesia coincides with the heavy emphasis the Indonesian government is placing on development of the region in its 5th five-year development plan.

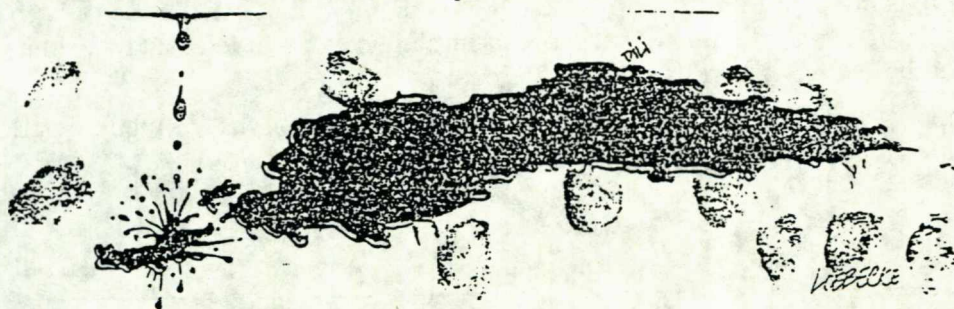
Land titles are in the process of being transferred from their status under Portuguese or traditional law to Indonesia's 1960 Agrarian Act. The changes in status are an important step in the industrialisation of East Timor that is to proceed now that investors are being welcomed into the territory with open arms. Under the 1960 Act, the state has the right to appropriate all land not under cultivation for its own development purposes.

There has been a recent avalanche of interest by both foreign and domestic firms investing in the territory. The military of course promises to play a central role in new investments. On December 27, 1991, a joint agreement was signed by Matahari Group, an Indonesian conglomerate and East Timor Territorial Operations, making it possible for Matahari to open a department store in Dili. On the same date, 10 companies joined together under the East Timor Development Corps (Timtim Cor) to sign a contract to 'develop' East Timor. The 10 companies include Astra International, Bank Rakyat Indonesia, Bank Darnaman Indonesia, Garuda Indonesia, Great River Garments, Puncak Matahari, Puskopad Kodam Udayana IX, Bintang Tatamilau Cemerlang, and Perum. Telkom. The military stake in Timtim Cor is Puskopad Udayana IX.

Probosutedjo, Suharto's son-in-law, is also intending to invest in East Timor, in the field of telecommunications. In addition, 3 companies from Japan, South Korea and Australia respectively have expressed their interest in investing in fishery and livestock husbandry in Lautem Province, 255 kms east of Dili. The firms will co-operate in joint ventures with domestic firms.

Since 1989, Dili has been one of the locations in Eastern Indonesia targeted for tourism development. In that year the territory was declared open for tourists, but up till now there has been little infrastructural development to encourage a large influx. Based on the Balinese model of tourism development which is now being deployed in other parts of Eastern Indonesia, the government has already set up a state company, the East Timor Tourism Development Board, to oversee developments in the tourism sector there. Recent advertisements on the privately known RCTI (television) promoting East Timor as a tourist destination, suggest that the tourism industry is ready to roll and is being directed, at least in these initial stages, at a domestic elite market.

Heightened investment in East Timor indicate that the military is seeking to derive additional economic benefit from the territory by "turning a war zone into a market place". Considering the highly-centralised military bureaucratic nature of the New Order regime and the fact that the trickle-down theory of capitalistic development has been historically disproven, the East Timorese will derive little benefit from these new developments. Indeed the prevailing social and political structure both in East Timor in particular and in Indonesia in general ensures against local populations and/ or regional administrations playing any part in determining the direction of East Timor's development.



MORE BLOOD IS SHED

The massacre that occurred in Dili on November 12, 1991 was by no means an isolated incident. Four days after it was announced in Lisbon that the Portuguese Parliament's delegation to East Timor was being suspended, Indonesian troops attacked Motael church in Dili. The following report compiled by Inflight before the decision to postpone the visit, makes some ominous predictions in conclusion.

Since the postponement of the Portuguese Parliament (November 1991) to East Timor, the situation in the territory, especially in Dili, has been extremely tense. This is because the two main parties concerned, the Indonesian government and Fretelin, clearly have different interests at stake in such a visit. On Fretelin's part, it is hoped that the visit will yield a decision to hold a referendum under the auspices of the United Nations, because the United Nations recognises Portugal as the government responsible for the administration of East Timor.

Naturally then, those East Timorese with aspirations for independence, were extremely disappointed at the decision to postpone the visit. Nevertheless, both Fretelin and the East Timorese in general have been clear in that they do not want to initiate any violent actions, because they are well aware that any violence on their part will undermine their position in the world of international diplomacy.

Murder at Motael Church

Thus the first 'incident' erupted in Motael Church, a place considered to be safe for pro-independence activists fleeing from the Indonesian Armed Forces. At 1:30 on the morning of October 28, a gang of masked killers known as Ninja (a unit formed by Prabowo, President Suharto's son-in-law), visited Motael Church, due to their suspicion that anti-integration activists were hiding there. Although they had been refused permission to enter by the Pastor, Father Ricardo, on the basis that the church was a place of worship, the Ninjas, who had planned the operation beforehand, attempted to stir up provocation by yelling warnings that there was a thief inside the church compound. As a result of this violent attack things grew tense, and the activists had no alternative but to resist the Ninja with the result that one of them, Afonso Henrique, was killed. When this happened, the troops, known for their sadism and inhumanity towards the Timorese - shot dead an activist named Sebastiao Rangel Gomes (20 years). They did this in the church, a holy place for Timorese people. Then the soldiers withdrew, leaving behind them an atmosphere of panic and terror.

After this, the activists organised an action in the streets of Dili, protesting against the death of Sebastiao Gomes. Nearly half the population of Dili took part in this protest. The Army responded with a show of force against the unarmed people and arrested 22 participants in the solidarity action, all students aged between 20 and 25 (see appendix). They were taken prisoner at the church in Motael, on the grounds of social disturbance and for activism in the independence movement, and were detained at the local Dili Police Station. Under the command of Lieutenant Colonel Gatot, they were interrogated and tortured. Interrogations were conducted with the apparent aim of finding out the plans of the resistance for the visit of the Portuguese Parliamentary Team. The types of torture inflicted included solitary confinement, electric shocks and one of the prisoners had one of his toes cut off.

The above report, compiled by Inflight prior to the postponement of the Portuguese parliamentary visit, in conclusion made some ominous comments:

The situation in East Timor continues to be one of terror: night curfews, guards on civilian households, and frequent intimidation of civilians. If the Portuguese Parliament do not come, there will be a bloodbath.

Following the Motael Incident, at 8am on November 5 1991, two people, Afonso Maria da Cruz (29 years) of Domisili di Audian, Dili and Julio da Cunha (21 years), a student of Domisili Idem Senior Hight School, were arrested in Santa Cruz Cemetary on the grounds that they were suspected of making pro-independence preparations for the visit of the Portuguese Parliament.

Deaths in Dili

Two weeks after the murder at Motael Church, on November 12, between 3000-4000 East Timorese participated in a procession from the church to Santa Cruz Cemetary. The procession departed from the church, where an early morning mass had been held and began to move towards the cemetary at 6am, with the intention of carrying out a traditional flower-sprinkling ceremony at the grave of Sebastiao Gomes.

Reports of what actually happened during the Dili Incident have taken various forms, namely:

- the Indonesian Armed Forces' version of events
- eye-witness reports by East Timorese foreign participants in the demonstration who survived the massacre.
- the final report of the Indonesian mission of Enquiry the Armed Forces version

The Armed Forces were quick to prepare a press release to recount their version of the affair before details of the massacre reached the Indonesian press through underground channels. Thus the first reports to appear in the Indonesian press merely echoed the Armed Forces line, as is illustrated in the Kompas report translated from the Indonesian below:

The situation in Dili is once again calm. The provocation which occurred yesterday, initiated by people influenced by rebel groups (Gerakan Pengacau Keamanan, lit: upsetters of a safe environment) has been overcome. The people have been requested stay calm, to avoid the influence of subversive gossip, and provocation by certain irresponsible figures.

A certain group initiated the provocation as a crowd of people began moving towards the Governors' office in Dili to protest, following a mass held at Motael Church. Security forces attempted to disperse the crowd using persuasive methods met with resistance and even physical attacks, from the crowd. Included in the victims of the attacks was a Battalion Vice Commando. In their attempts to deal with the worsening situation, the security forces were forced to defend themselves by resorting to strict methods, as according to the appropriate procedures. Thus inevitably, among the provocateurs there were also some victims, and several wounded. The Head of Information for the District Military Command IX Udayana, Let. Col. Anton Tompoding has announced that 9 people had died as a result of the conflict.

Udayana District Military Command concluded that those involved were clearly under the influence of the Timorese rebel group who have recently moved their operations to Dili as they have been pushed down and closed off from their traditional area of operation inland. Their actions were planned to be aimed at the Portuguese Parliament. Their frustration caused by the postponement of the Parliamentary visit was thus vented in a brutal manner. It is obvious that this chain of events is connected to the conflict that occurred at Motael Church on 28 October, and that that some church figures have become involved in the activities of the rebel groups. Because of this, Udayana Military Command has made a point of reminding church figures and certain groups that make use of the church, that the church is a holy place and should not be used for non-religious purposes, such as practical political purposes and opposing the government.

The security forces state their intention to maintain the calm, and warn that they will take strict measures against any activities that upset national stability, national development, and civil safety.

Contradicting the claims made by the Indonesian Armed Forces in their press release, eye-witness reports of both East Timorese and foreign participants in the demonstration preceding the massacre have been consistent in affirming that troops opened fire on an unarmed crowd without warning, and that there was **no provocation on the part of the demonstrators**. Such reports have been published widely

internationally and do not need to be detailed here (see Asia Watch and Amnesty reports). The East Timorese underground resistance has come up with the names of people found dead at the site of the massacre (see appendix).

Unofficial sources have also reported that in the aftermath of the November 12 massacre, on November 15 about 80 people who were arrested after the incident were blindfolded, bound and taken to Be-musi to be shot dead. On November 17 an additional 10 witnesses to the executions of November 15 were killed and the following day, 7 more people, witnesses to the third massacre, were shot dead. This puts the death toll at around 212. In addition, 32 people remain in detention in Dili in connection with the Incident.

Infight's Response to the Massacre

On December 17, 1991, a delegation of 4 representatives from Infight, the Institute for the Defence of Human Rights (*Lembaga Pembelaan Hak-Hak Asasi Manusia*: LPHAM) and the Institute of Defenders of Justice (*Lembaga Penghayat Keadilan*: LPK) went to the People's Representative Council (*Dewan Perwakilan Rakyat*: DPR) to present their position on the 12 November Massacre. Although their efforts to get a meeting with the DPR were fruitless, they did manage to get a meeting with several legislators from the Indonesian Democratic Party (*Partai Demokrasi Indonesia*: PDI). The meeting was attended by the following people:

1. Jopie Lasut (LPK)
2. Dr. Chris Siner Key Timu (LPK)
3. Agus Edy Santoso (Infight)
4. H.J.C. Princen (LPHAM)
5. Suwardi SH (PDI)
6. Jajang Pasundar (PDI)
7. Jenni Suharno (PDI)
8. Sutaro SH (PDI)

The delegation presented the following statement to the meeting:

We, the undersigned, call on the DPR to immediately conduct a complete and objective investigation, based on the principles of honesty and justice, into the Dili Incident which has resulted in the death of many. We call on the DPR to set up a Fact Finding Commission, consisting of credible eminent persons and social institutions involved in the field of human rights, to conduct the said investigation. We would also like to express the willingness of our respective organisations to take up such a task.

In addition, we demand that the military personnel responsible for the shooting on November 12 in Dili, be tried, in the name of justice for all people.

In the name of just and civilised humanitarianism as advocated by the Pancasila, we also demand that the names of the victims of the shooting be publicly announced, and that their bodies be returned to their families to be buried in accordance with their respective religions.

It is hoped that the DPR will consider these demands in the context of the fifth principle of the Pancasila: just and civilised humanitarianism. We also demand that those people detained as a result of the Dili Incident be allowed to receive family visits.

Thank you for your kind attention,

H.J.C Princen (LPHAM)

Agus Edy Santoso (INFIGHT)

Yopie Lasut (LPK)

Drs. Chris Siner Key Timu (LPK)

The PDI fraction thanked the delegation for its kind contribution, and promised to discuss the matter further in the PDI fractional meeting.

The National Mission of Enquiry: the criminals judge their own crimes

Out of the country on the day of the massacre, Suharto responded agilely to this attempt to undermine his authority on his return by setting up on November 19 a National Mission of Enquiry (*Komisi Penyelidik Nasional: KPN*) into the affair. That the KPN was set up by Presidential Decree placed under the direct supervision of, and made it directly responsible to, the President.

Indeed this was the first time that such a mission had been formed to investigate one of the many crimes the New Order regime has committed. That the government evidently declined offers by several Indonesian human rights organisations to be involved in the mission, let alone a UN request to be allowed to send an independent investigative team, reflects the nature of the legal system under the New Order whereby, in cases involving political 'incidents' the criminals become the judge of their own crime and the final verdict is predetermined. The 7-member team consisted of:

1. Supreme Court Justice Maj. Gen. (retired) M. Djaelani (Chair of the mission)
2. Clementino dos Reis Amaral (legislator from East Timor)
3. Ben Mang Reng Say (member of the Supreme Advisory Council)
4. Harisoegiman (Director-General for Social Affairs and Politics)
5. Hadi Wayarabi (Director for International Organisation of the Ministry of Foreign Affairs)
6. Anton Suyata (Inspector General of the Ministry for Justice)
7. Rear Admiral Sumitro (Inspector General of the Armed Forces)

As is the case with most high-ranking government officials in Indonesia, many of the members of a mission whose task was to conduct an objective investigation into the role of the Armed Forces in the Dili Incident, themselves have long histories of involvement in the military. In this respect, the team's ability to investigate "freely, accurately, impartially and thoroughly the Dili Incident", as it was assigned by the President, must be seriously questioned¹.

During their visit to the territory, the mission held meetings with Governor Carrascalao, Bishop Belo, Father Ricardo of Motael Church and Commander of Territorial Operations Warouw. They witnessed an on-site reconstruction of the November 12 massacre accompanied by Assistant Chief of the Intelligence for the Regional Command, Col. G. Purwanto. In the reconstruction, 20 soldiers from Battalion 303, one of the companies which took part in the shooting, showed the commission members where they had been standing at the time when the firing began. No-one from the side of the demonstrators took part in the reconstruction.

In addition the mission, accompanied by 4 military officers, carried out the exhumation of one grave at Hera Cemetery apparently to see whether rumours that bodies had been thrown into graves without religious rites were true. However, the commission failed to come up with the identities of the 18 bodies buried at Hera. It also failed to assess what happened to the remaining 31 killed - in its final report the KPN put the death toll at 50. Members of the mission went to Tasi Tolu, Pasir Putih and Tolu outside of Dili where there had been reports of mass graves, but found no evidence of mass graves evidently because, as Djaelani later told reporters, they did not know where to look.

The mission returned to Jakarta after 17 days in the territory and after meetings and discussion with the President released its final report on December 26 1991, the conclusions of which run as follows:

1. *The November 12 demonstration represents the peak of a series of demonstrations instigated by the anti-integration group Fretelin. Increasingly cornered, Fretelin has changed its strategy from jungle*

¹ Following the issuance of the KPN's final report which deemed that "a group of military personnel had acted outside above commands", and that "all those found to be breaking the law must be punished", Suharto held Sintong and Warouw responsible and removed them from their posts.

to city guerilla warfare. This undermines the development approach aimed at raising general welfare by taking advantage of the current conditions and situation of the youth, encouraging them to oppose integration, in their attempt to focus world attention on their existence.

2. The Dili Incident is clearly not a result of command from above, nor does it represent government or Armed Forces policy in East Timor. It is indeed an incident to be regretted.
3. The demonstration was not peaceful and orderly, but contained elements of provocation previously planned by Fretelin
4. Demonstrators, most of them youths, encouraged by Fretelin were emotional and destructive. They consciously displayed Fretelin and Falintil flags, pictures of Xanana, banners, and screamed insults at the security forces present.
5. Several foreigners actively participated in the march
6. In the increasingly tense situation, in which armed forces personnel was stabbed, security forces considered themselves to be in danger, and spontaneously reacted without command to defend themselves by firing excessively at the demonstrators.
7. Although a riot force was present, the mission was not satisfied that optimal procedures for handling the demonstration were adopted. Despite current estimates put of the numbers of victims as 19 and the number of injured at 91, the mission feels it has sufficient reason to believe that the victims numbered as many as 50, and the injured over 91.
8. Although 19 of the dead were buried appropriately, there was insufficient attempt to identify the bodies, as well as insufficient opportunities for family members to identify the dead.
9. The mission feels that, in the name of the law, all those involved in the November 12 Incident who are considered to have disobeyed the law, must be punished accordingly.

Infight's Response to the Results of the National Mission of Enquiry (KPN)

Following the announcement of the results of the KPN investigation, Infight issued the following statement in response:

On December 27 1991 the National Investigative Committee (KPN) announced the results of its investigation into the 12 November Affair. Infight considers the report of a serious effort to uncover the real train of events connected with the affair. That the report differs from the official ABRI (Try Sutrisno) version is a departure from the norm. In the cases of Malari, Tanjung Priok, Aceh, Lampung, and the (Petrus) mysterious killings we have been expected to accept the official (ABRI) figure put on the numbers of victims, which without fail has fallen well short of the actual figure.

Nevertheless, Infight regrets that the formation of the KPN was merely a response to international pressure and that its investigation was conducted at a time when the East Timorese community was too afraid to speak out. Whilst the report surpassed expectations by showing the government's courage to admit to human rights disasters, it did fail to detail the actual train of events of the incident. Thus a neutral commission under the auspices of the United Nations remains a necessity.

Infight hopes the KPN report will mark the end to the military tradition of seeking violent solutions to political issues. The fact remains that the 12 November incident represents violation of the basic human right to freedom of expression. That is, in the final analysis the military's response to the demonstration was violent and it is such violence that must not be repeated.

INFIGHT demands that the following actions be taken as a follow-up to the KPN report:

1. A guarantee that human rights in Indonesia will be in the future upheld, in particular that criticism, in the form of demonstrations, directed at the government, will no longer be dealt with in a violent manner.
2. That the role of the military is limited to security such that the military no longer needs to justify its violent actions by saying its personnel were 'provoked', or to defend itself in a way that is not in keeping with the role of ABRI as national patriot.

3. *As stated by the KPN report several members of the security apparatus who opened fire on the crowd of demonstrators were acting beyond their command. Those East Timorese detained as a result of the various prologues and epilogues of the 12 November Affair must therefore be released since they are only the victims of the irresponsible actions of certain elements within the military.*
4. *That the formation of a democratic political system as in accordance with the principles of human rights in East Timor in particular as well as in Indonesia as a whole is formed because only then can self-determination be truly realised.*

It should also be noted that while Suharto was busy setting up the KPN as a symbol of the greatness of his humanitarian spirit, arrests, detentions and interrogations of East Timorese in Dili, Jakarta and Bali were continuing.

Further Incursions on Human Rights In Indonesia: Detentions, Expulsions and Sackings

Dili Detainees

35 people are currently being detained in Dili in connection with the November 12 'incident', and an additional 5 remain in detention accused of being 'involved' in the Motael 'incident' of October 28, 1991. The Public Prosecutor who has been ordered to take harsh action against those being detained in connection with the Dili incident.

Three of the 35 faced trial in late January. They are:

1. Amara de Araujo (28, employee at a car workshop)
2. Felismina dos Santos Consecacao (29, civil servant in the District Military Office)
3. Alfonso Rangel (48, self-employed)

The three, accused of leaking state secrets, were tried in succession: Consecacao on Monday January 20, Araujo on Tuesday January 21 and Rangel on Wednesday January 22. It was alleged that Consecacao stole 'important letters' which she then passed on to Araujo, who gave them to Rangel, who in turn sent them to Jose Ramos Horta, spokesperson for the Maubere People's National Resistance Front. Ramos Horta is said to have then passed the documents to the Portuguese President, Mario Soares. The stolen documents pertain to reports by the East Timor Field Commander to the Chief of Udayana Military Regional Command concerning security arrangements for the visit of the Portuguese Parliamentarians. The documents detailed the sites to be visited where the Portuguese were to stay, and were apparently being used by the resistance to plan demonstrations for the visit. The 3 are to be charged under Article 112 of the Criminal Code, and may face up to 7 years jail.

In addition, the dossier of one of the 35, Gregorio da Cunha Saldanha, who was arrested following the Dili massacre and is facing subversion charges, was sent to the Public Prosecutor on December 28 1991 but as yet it is unclear when he will face trial. He is believed by authorities to be a 'prime mover' in East Timorese pro-independence actions and one of the urban underground's couriers taking messages and supplies to Xanana. The charge of subversion carries a minimum sentence of 7 years. Gregorio has been reported to be threatened with the death sentence.

The dossiers of the 30 people suspected of being involved in the Dili Incident were sent to the Public Prosecutor in early February. Of this 31, 18 are to face civil charges and the remaining 13 to be charged with subversion. Among the 18 are 2 university students, a carpenter, and 5 senior high school students.

Arrests and Detentions in Jakarta

On November 19, 1991, 70 people of the East Timorese Nationalist Student's Front marched to the United Nations Office, and the Japanese and Australian Embassies in Jalan Thamrin, Jakarta in protest of the November 12 massacre. They carried banners criticising the way in which the incident was handled

and opposing the 1976 'integration' of East Timor into Indonesia, and presented a statement written in Portuguese to representatives at each of the embassies.

Despite a statement by the Indonesian Armed Forces later that day that none of the students had been detained, the whole 70 were in fact picked up by police and detained in Metro Jaya Police Station, Jakarta. They were charged with inciting the state and disturbing public order under articles 154 and 155 of the Criminal Act.

Only after their third visit to the jail, on November 26, was a team of three human rights lawyers consisting of HJC Princen (LPHAM), Frans Hendra Winarta and Rini Dwi Darmawati (LBH) permitted to meet with two of the prisoners, i.e: Joao Barreto and Joao Freitas Camara. From the time of his detention in Metro Jaya, Joao has been kept in an isolated cell on the basis that he was suspected of being the 'mastermind' of the demonstration of November 19 and the 'key' to the underground resistance movement in Jakarta.

On the same day (November 26), after a weeks detention and intensive interrogations in Metro Jaya, 49 of the 70 prisoners were released. Their release was contingent on their stated recognition of East Timor as a part of Indonesia and as Suharto as their President, and on their promise not to talk to journalists about their conditions while in detention. On their release their status was not 'open release' but simply postponement of their detention. To this day they continue to be monitored by authorities. A significant number of them were required to report twice a week to Metro Jaya but about a month after their release they were told they were no longer required to report. (For the names of both the 49 students released and the 21 still remaining in detention see appendix).

The Bali 4

On December 22, 1991, four East Timorese students from Bali, arrested on November 24 1991 in their house and detained in Nusra Police Station, were transferred to Jakarta to join their 21 friends in Metro Jaya.

The chronology of their arrest, detention and subsequent transferral to Jakarta are detailed in a letter from one of the Bali detainees, as follows:

November 22 1991: At 6am our house in Denpasar, inhabited by the 6 people listed below:

- 1. Fernando de Araujo (native of Ainaro, student of Indonesian at Udayana University, Denpasar)*
- 2. Jose Maria Pompeia Saldanha Robeiro (native of Bidau, Dili, and student of Agriculture at Udayana)*
- 3. Antonio dos Santos Matos (native of Mascarenhas, Dili, student of economics at UNDIKNAS)*
- 4. Jose Paolo da Silva (native of Bidau, Dili and student of Agriculture at Udayana)*
- 5. Joaquim da Costa Freitas (native of Los Palos, student of Agriculture at Udayana)*

Was surrounded by around 30 police and intelligence personnel, some of whom were armed. They proceeded to enter the house and ordered the 6 of us to gather in the front room. Meanwhile, 6 of them dressed in traditional Balinese dress began to check the 4 bedrooms of the house unaccompanied by any of us. They then ordered Clemente Soares to accompany them while they checked the rooms again. On the second check, one of the personnel came forwards and presented a box which he claimed to be a bomb he had found in one of the rooms.

The authorities then ascended to the upstairs room and emptied it of all its contents, including documents, medicines and other personal belongings. They then invited Clemente Soares to follow them upstairs again and check the room himself. In the corner, he found a piece of cloth which did not belong to any of the inhabitants of the house, so he went to pick it up and throw it downstairs with the rest of the stuff. He was stopped, however, by the police personnel present who shouted warnings at him not to do so. The piece of cloth was then taken downstairs, opened, and mysteriously, a granate was found inside. Consequently, one of the personnel claiming to be from the Legal Aid Institute (LBH) announced that there was a written order out to arrest the 6 of us. We were never shown such an order, but taken immediately to Nusra Police Station, Denpasar, placed in separate rooms and interrogated.

In this first interrogation we were merely asked personal details such as our age, names and family details.

At 9pm all of us except Fernando Araujo were transferred to Badung Police Station where we stripped down to our underpants and placed in isolated cells.

On November 25, 1991, the 6 of us were brought together again at Nusra and interrogated from 8:30 am until 11 or 12 at night. The interrogations focussed on three main subjects: our disagreement with the integration of East Timor into Indonesia, our views on the November 12 Dili Massacre, and on the structure of Renetil (Resistencia Nacional Dos Estudantes de Timor Leste: the National Resistance of East Timorese Students) network. On this date, two of us, Jose and Paulo, were released.

After around 2 weeks of similar interrogations of the 4 of us remaining in detention, we were transferred from the police intelligence to a police seargent and similarly interrdated for almost 4 weeks.

The written authorisation of detention stated that we were to be detained for 20 days (November 24 - December 14). Our detention was based on the suspicion that we were subversives and traitors of the Indonesian Republic. On the transferral of our interrogations from the police intelligence to the police seargent, however, different accusations were mounted against us. It was at this time that we discovered that Fernando Araujo was to be charged under Articled 154 and 155 of the Civil Code and the remaining three of us under Articles 106 to 110 of the Civil Code.

On December 22, 1991 at 7am we were taken with our hands bound, to Ngurah Rai Airport, Bali, and flown to Jakarta where we arrived at 1pm. We were then taken to Metro Jaya Police Station, Jakarta.

In Metro Jaya, the four of us have been placed in Cell Block A6 separated from the other 21 including Joao Camara who is alone. Despite our requests to the authorities to be joined with the other 21 on December 24 in order to perform our Christmas prayers together, since our arrival we have been forbidden to meet them. We are given food three times a day: coffee and fried bananas in the morning, Padang food at midday, and an evening meal which is hardly edible.

Eight of our colleagues detained in Dili have also been charged with subversion. Can our struggle to refuse the integration of our people and country with the Republic of Indonesia be called subversive? It is our belief that the integration process of the past 16 years is a result of force and does not reflect the free will of the East Timorese people. In accordance with International law, Portugal does not recognise that we, the sons and daughters of East Timor, are part of Indonesia. Can our efforts as East Timorese, not as Indonesians, to exercise our right to self determination, be called subversion? After one of us requested a legal representative he was told by police that our cases require no legal representation because the accusations directed at us are justified by the Civil Code. Is such a thing really written into Indonesian Law?

NB : When still in Denpasar, Jose Pompeia Saldanha Robeiro was said by friends to have been so badly beaten that he couldn't walk properly and his facial features were almost unrecognisable.

On January 10, two lawyers from the Legal Aid Insitute team to be responsible for the defence of the Jakarta detainees signed a letter of authorisation indicating their intention to act in the defence of the 4 detainees from Bali. However, 9 days later, on January 19, a journalist reported seeing the 25 East Timorese detainees at the High Commission's Office. According to a credible source, the visit of the 25 to the High Commissioner's Office is connected to the government's plans to release the detainees in stages. The first stage will apparently include the release of 7 of the students and the rest will follow. The release of the students represents an effort on the government's part to prove its good intentions in improving the human rights situation here. Most importantly, the two supposed 'puppet masters' of the East Timorese underground network, Joao Camara and Fernando de Araujo, have been told by government authorities that they will have nothing to worry about if they make a public apolgy to the president. It is our assumption that this means they will be freed on certain conditions. However, till now, the students have refused to make such a statement and continue to be hold in Metro Jaya.

The majority of students arrested on November 18 held government scholarships which since late November have been revoked. On 10 December by Jacob Ribeiro, treasurer of the East Timor Regional Government Projects section, who distributed a letter to 23 students notifying them of the revoking of their scholarships. 13 of these 23 received 20.000 and the remaining 10 Rp 10.000 per month. According to the notification letter dated December 2, their scholarships would be cut for semester II (November/December 1991 and January 1992) in accordance with a government order of November 22. No reason for the

revoking of the scholarships was forthcoming in the notification. An additional 16 students have also yet to receive their monthly payments, and consider that their scholarships have likewise been revoked although they have received no notification letter. Clearly, those still being detained in Jakarta have also had their scholarships revoked. (For the names of the students who been subject to the revocation, not including those still being detained, see appendix.)

As a result, most of these students can only afford to eat once a day and many are falling ill. Many of them also have been given ultimatums by their landlords/ladies that they must pay their rent before the end of January or move out. Consequently, students will be finding it very difficult to complete their courses.

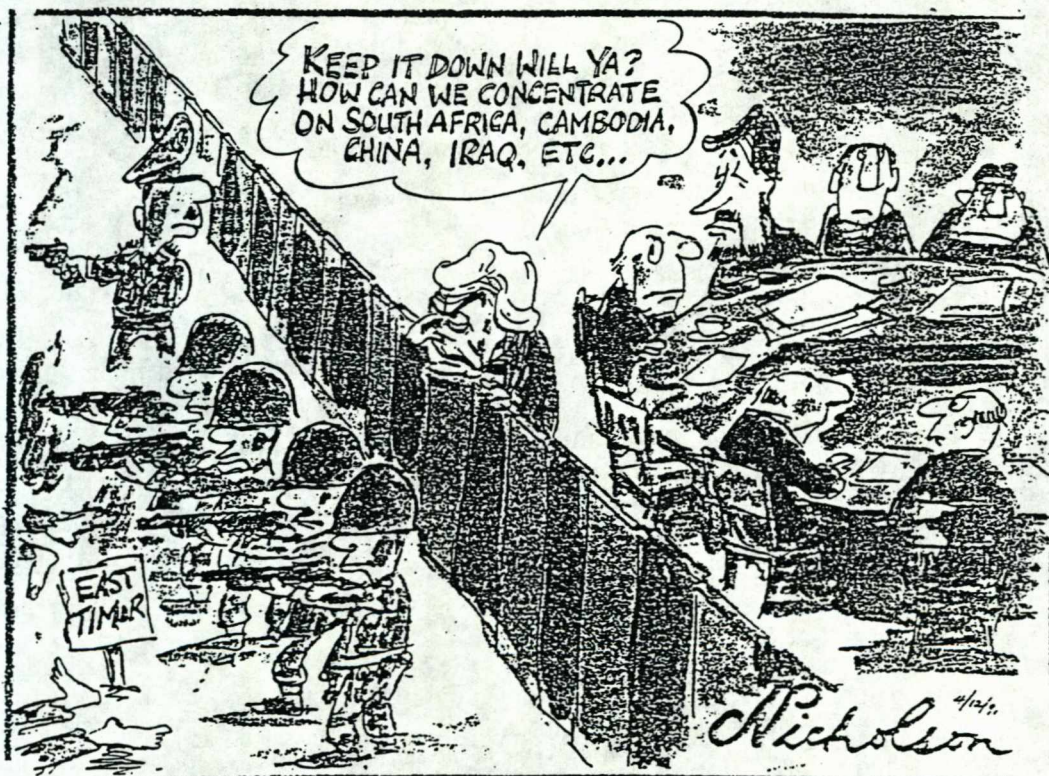
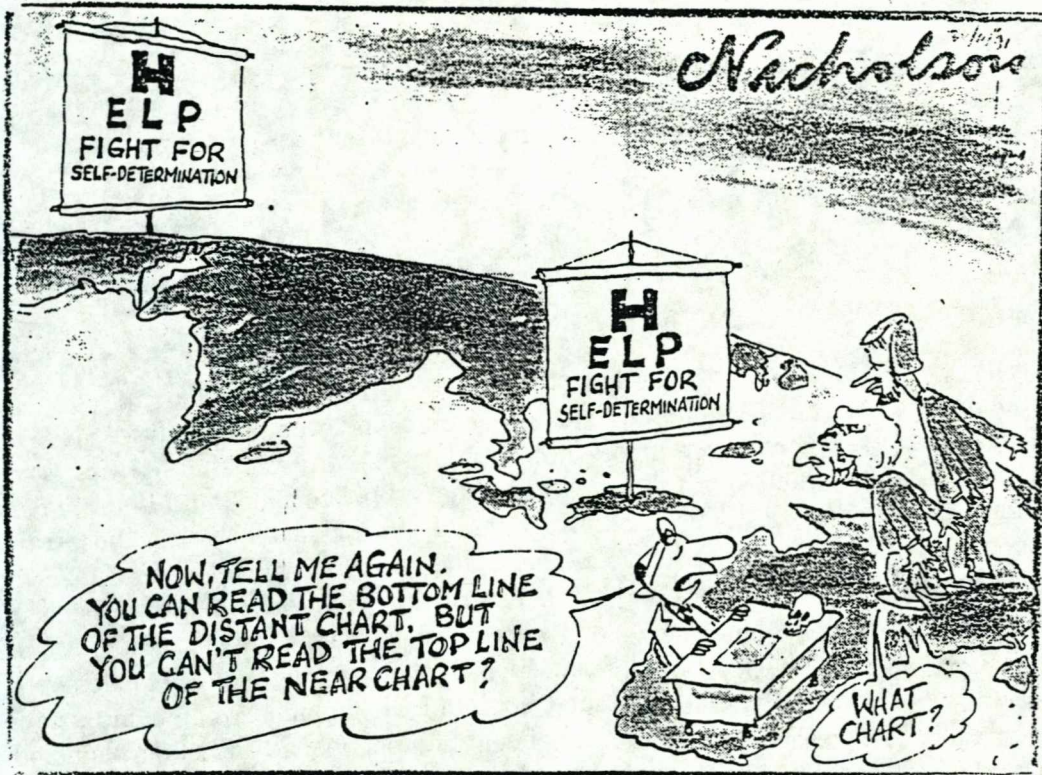
Interweaving the continuing persecution of East Timorese following the massacre were the disciplinary measures aimed at the press, 'certain' human rights organisations and students. While the political elite were playing games with their power following the Dili massacre, the government jumped at the chance to revive the rhetoric of developmental nationalism. The issue of foreigners' participation in the demonstration was greatly publicised, as was the government's claim that an Australian NGO was behind the demonstration of November 12. Suddenly foreign tourists were identified as spies. And press statements were made warning people to beware of unpatriotic Indonesian NGO's. On December 24, Kentot Harseno, Jakarta District Police Chief, warned people to be careful of those **wearing the mask of democratisation and human rights**. In an interview that appeared on Indonesia's commercial television station on January 17, Minister for Internal Affairs Rudini reminded mass political organisations that they are required to register with the Ministry of Internal Affairs. According to Rudini, the 1985 Law on Mass Organisations empowers the government to interfere in the affairs of NGOs **if their activities are considered to have endangered the nation**.

The government's attempt to create a xenophobic Indonesian society not only serves the purpose of its self-defense against international criticism. It also justifies its taking action against anyone it cares to label as 'unpatriotic', and is therefore clearly linked to attempts to create a favourable public opinion for the 'cleaning up' that will inevitably occur as the genreal election, scheduled for June, approaches.

It seems that the Dili Incident has allowed for the cleaning up to start early. On November 20, the day after the detention of the 70 East Timorese student demonstrators, 3 Indonesian human rights activists (HJC Princen of LPHAM, Yopie Lasut of LPK and Indro Tjahyono of Inflight) were arrested and later released on the condition that they report three times a week to the local police station for interrogation.

On January 9, 1992, as a result of the participation in the 21 November Bandung student's protests against the violent methods employed by the military on November 12 in Dili, Pius Lustri Landand of Parahiyangan University in Bandung (UNPAR) was expelled. According to a fellow participant in the action, Pius carries out his task as 'komando' in the action in a disciplined manner. However, before the action began, Pius got into a conflict with one of the rector's staff who, with the aide of a member of the student regiment, attempted to put an end to the action. Pius and his friends continued with their plans however, and the conflict ended with Pius yelling a warning at the Rector's staff not to remove the candles and flowers that had been prepared as symbols of mourning.

On January 15, 1992, three editorial staff of the weekly *Jakarta Jakarta* were sacked following the inclusion in the January 4 issue of the magazine, of an interview with 3 eye-witnesses of the Dili Incident. At a press plenum of the Indonesian Journalists Union, Yakob Oetama, head of the Kompas group that owns *Jakarta Jakarta* was reprimanded by Benny Moerdani, Try Sutrisno, and Moerdiono (Minister for State Secretariat), who were invited to give papers there. Apparently the publishing of the interviews was out of line. As a result of the reprimand, Yakob sacked three of his editorial staff.



THE POLITICAL AFTERMATH OF THE DILI INCIDENT : A TRIUMPH FOR HUMAN RIGHTS?

It is no longer a secret that Indonesian intelligence personnel were integrally involved in the November 12 massacre. East Timorese refugees now residing in Portugal, after viewing a videotape of the massacre, have identified Morsani, a well-known secret police agent, and LetCol Poerwanto, Head of Intelligence Operations in East Timor, as instigators of the massacre. Among those who witnessed the videotape of the massacre was Eusebeio Corsino, a former resistance fighter who was captured and conscripted into the Indonesian Army and knows its structure well. According to Corsino, it was Poerwanto who was responsible for the entry, position and withdrawal of troops from the cemetery. Whereas Mursani, shown in the cemetery in civilian clothing, was responsible for co-ordinating the movements of the different military groups present. These groups included Kodim (the local military command), troops from at least one elite Indonesian battalion, a Brimob (riot police) unit, local police and other plainclothes intelligence agents. According to Corsino, this indicates a special intelligence operation whose main co-ordinator must have been Poerwanto.

But the Dili massacre must be read not merely as a military intelligence operation directed at East Timorese pro-independence activists. In fact it plays a much more integral role in Indonesia's political scene, that is in the succession struggle between Suharto and Benny. The formation of the DKM (*Dewan Kehormatan Militer*: Honorary Military Council)¹ is Suharto's attempt to wrench the ABRI leadership from Benny and Try, the military apparatus having been utilized by them in an effort to embarrass Suharto. These events have been analyzed in the following different ways:

1. The killings were an attempt to show that Indonesia continues to be threatened by separatism and that the dominant role of ABRI is therefore justified.
2. Due to the continuing instability in East Timor company licenses must go through the military or must be controlled completely by the military.
3. The massacre was an attempt by the military to ruin Suharto's international image in the hope that foreign aid would be cut providing an opportunity for a military coup.

These analyses pay little attention to the human factors involved in the incident, in particular to the rights of those people who have fallen victim to political powerplay among the elite. The issue should be seen in terms of the killing of East Timorese people as a human rights violation, and the annexation of East Timor without the sanction of a referendum as aggression, which takes place in the context of the military bureaucratic capitalism that prevails in Indonesia.

¹ On January 2 1992 the Army Chief of Staff Edy Sudrajat on named 9 high-ranking military officers to the Army Honorary Council (*Dewan Kehormatan Militer*: DKM) to establish what went wrong in the military handling of the November 12 demonstration. According to official statements, the DKM would investigate the actions taken by Panjaitan and Warouw in handling the of the tragedy. The council was also expected to help determine the whereabouts of the missing bodies of the victims and is expected to begin work in the third week of February. Seven people were named as members of the Council. They are: [a]. Chair: Maj. Gen. Faisal Tanjung (Commander of the Army Staff College) [b]. Vice-Chair: Maj. Gen. Toni Hartono (governor of the Military Academy) [c]. Secretary: Maj. Gen. R. Sunardi (logistics assisstant to staff chief) [d]. Maj. Gen. Sutopo (personal assistant to the Army Chief) [e]. Maj. Gen. Suparman Ahmad (Commander of the Infantry) [f]. Maj. Gen. Surjadi Sudirja (head of the socio-political section of the Armed Forces)

Further, such analyses fail to address the impact of the Dili Incident on freedom of movement and freedom of speech in Indonesia as a whole. Disciplining of the military has been paralleled by similar action being taken against NGOs considered 'subversive', journalists and East Timorese living in other parts of the archipelago. While apologies to the families of the victims of November 12 were forthcoming from Suharto, and statements of regret from Panjaitan, the Indonesian security continued in its efforts to uncover the East Timorese resistance network by a systematic series of arrests, detentions and intensive interrogations in Dili, Denpasar and Jakarta.

In this sense it becomes obvious that whilst human rights is definitely on the international agenda, it is no more than a pawn in the chess game of international politics and like a pawn can be moved back and forth and sideways at will. Blame for the destruction that has occurred over the past 16 years in East Timor cannot be entirely put on the Indonesian government. In many ways Western Governments have also handled the East Timor question irresponsibly.

Certain governments need to be applauded on their reaction to the Dili massacre which has forced the Indonesian government to take more seriously the issue of human rights violations by the military than it has on previous occasions. The halting of all new projects in Indonesia by Holland, Canada and Denmark seems to have allowed for more lenient treatment of some East Timorese detainees being held in connection with the Dili Incident than may otherwise have been the case. This has proven the importance of pressure from Western governments in improving the human rights situation in Indonesia.

However, the position Western governments have taken on the issue of the massacre is not without its hypocrisies. It must be remembered that the Indonesian invasion of East Timor was much facilitated by the fact that Portugal refused to complete the decolonization process, after the Portuguese governor fled to Atauro during the civil war that preceded the Indonesian take-over. Also irresponsible was Portugal's postponement of the Parliamentary Visit scheduled for November 1991, after warnings from East Timorese themselves that if the visit did not eventuate, there would be a bloodbath.

In addition, The Dutch government's decision to scrap the boycott on aid to Indonesia was immature when 22 East Timorese remained in detention in Jakarta accused of subversion and insulting the state for expressing their opposition to integration and concern over the military's handling of the Dili Incident. It was also untimely considering that Amarao de Araujo, Felismina dos Santos Consecacao and Alfonso Rangel have all faced trial this week in Dili for leaking state secrets. And further it was an inappropriate response the official KPN figure of victims, considering the other conclusions made in the mission's final report which were based on unprofessional and one-sided investigative methods.

When he was still No. 1 man, Bob Hawke put made his visit to Jakarta scheduled in January 1992 contingent on the fulfillment of the conditions that a fair and honest enquiry is held and that those found to be guilty are punished. Later, Foreign Minister Evans explained in a press conference that the Australian Government would continue to monitor further developments in Indonesia. The letter also emphasized the need for those who condoned or used excessive force to be punished appropriately, and called for their release of all East Timorese political prisoners being held in connection with the Dili Incident.

However it is quite ironic that while Hawke was shedding tears of morality, on December 18, 1991, the Australian Ambassador to Indonesia, Philip Flood, was signing contracts paving the way for various consortia to start drilling in the gap in 1992². And after signing the Timor Sea away to multinational oil companies, the following day Flood made a reference to the 'historic ties between Australia and East Timor'

²In December of 1991, Portugal filed a protest with Canberra over the signing of 6 of the 11 production sharing contracts up for grabs. The contracts were signed by the Joint (Australian-Indonesian) authority overseeing development in the Gap. 8 consortia and one sole company are to secure the 11 contracts, involving 18 companies in all. A consortium comprising Marathon (US), Santos (Aust.) and Korea Petroleum will drill 12 wells. Another comprising Shell, BHP and BP has secured a contract to drill 3 oil wells and one gas. In January 1991, the Indonesia - Australia Joint Authority for the Timor Gap Zone of Co-operation yesterday signed 4 new contracts for oil exploration in Zone A, with an investment of US\$130.66 m. The contracts were signed in Jakarta by the Executive Director of the Joint Authority D. Zahar, and representatives of the 4 contractor companies, and was witnessed among others by Philip Flood. On the basis of the contract, BHP Petroleum and Index invested US\$33.36million for a period of 6 years with an area of 5000 km². Petros and Sagasco have committed US\$28.5 million for a period of 6 years with an area of 6000km². A consortium of Enterprise/Nippon Oil has committed US\$42.4 million with an area of 6000 km². And Enterprise is to invest US\$26.4m in an area of 4,500km². Zahar explained that yesterday's signing, the second one to take place in Jakarta, represented the last step in the contracting out of Zone A and the Timor Gap, and that exploration is now ready to start.

in connection with Garth Evans' arrival in Jakarta and his intention to discuss the Dili Incident with Foreign Minister Ali Alatas. Indeed the initial invasion Australia was not totally innocent. The then Prime Minister Gough Whitlam told Suharto in 1974 that he felt Indonesia should become part of Indonesia. It has also been suggested that Hawk's tears cannot be taken seriously when 22 Indonesian military officers remain in Australia studying at Kunungra Military College as part of a \$2 million defense co-operation project with Jakarta³.

The United States government also took the issue seriously, and on November 15 sent State Department team to Dili to make a report on the massacre. The team concluded that the death toll was between 75 and 100. Resolutions condemning the massacre were passed in both houses of Congress, both calling for the reassessment of IMET (International and Military Education Training), a program for the training of US senior military officers worth US\$1.9 million. State Secretary Bolger's decision not to halt the program on the basis that it could contribute to professionalism in the Indonesian military and expose it to democratic standards and humanitarianism, is therefore extremely disappointing, apart from the fact that is a hollow argument. If IMET is capable of injecting humanitarianism and 'democracy' into the military, then why until now has it failed to do so?

The United Nations needs to be congratulated for adopting a unanimous resolution calling for the withdrawal of Indonesian troops only 5 days after the invasion, and continued to adopt resolutions for 6 years thereafter, after which the 'Question of Timor' was entrusted to the Secretary-General. However, given that within 4 months of the Iraqi invasion of Kuwait, the Security Council adopted no more than a dozen resolutions, and that resolutions have now been sought in Cambodia and are currently being sought in Palestine, also under the auspices of the United Nations, it is high time that the United Nations took more positive steps towards seeking a satisfactory resolution to the Question of Timor.

The hypocrisies of many Western government's positions on the Question of Timor suggest that 'human rights' is only another chess-piece in the board-game of international politics. It seems, Suharto has proven himself able to adapt to the new rules of the game. His revamped image represents new challenges, rather than a triumph, for human rights in Indonesia.

Continuing restrictions on freedom of expression, censorship in the media, restraints on the right to organize, the right to hold an opinion that differs from the power-holders, the setting up of extra-constitutional and semi-military institutions that infringe upon civil and citizens rights, the Indonesian government has failed to ensure Indonesian society of basic human rights.

In his handling of the Dili Incident, Suharto has killed two birds with one stone. By ordering the formation of the National Investigative Committee which later put the numbers of victims of the massacre at 50, well above the official military figure of 19, and subsequently calling for the removal of Commander of Territorial Operations, R. Warouw, and Udayana Regional Command, S. Panjaitan, from their posts, Suharto has assumed the role of discipliner of deviant elements within the military. With this he has saved himself from the schemes of Benny Moerdani, Minister of Defense and Security, to check-mate him, and at the same time gained some international credibility. In addition, in his new role as a hero of human rights, Suharto has carefully controlled and clearly delineated the limits of the public debate on East Timor.

It needs to be remembered, however, that the very nature of the political system in Indonesian necessarily violates the basic civil rights of freedom of expression and freedom of association. The implementation of the floating mass doctrine, the domination of the central political apparatus by the military, strict controls on the media, and the complex political bureaucratic system effectively blocks the access of the ordinary people to the decision makers. In this way the formation of the KPN is no more than

³ Over the period of 1978/9 to 1985/6, A\$4.3 million went into military co-operation projects with Jakarta. The projects included training and study visits, supply of Nomad aircraft, maintenance/capability of Attack Class Patrol boats, supply of electronic target ranges, and survey and mapping of remote parts of Indonesia. Although Jakarta suspended military co-operation programs in 1988 in retaliation to the "Jenkins Affair" of 1985, renegotiations commenced with exchange visits by Peter Graion, Australian Defence Force Chief, and Try Sutrisno. The Royal Australian Navy has also carried out joint exercises with the Indonesian Navy in the Arafura Sea, and, over the next year 50 Indonesian Officers are to attend Australian Defence colleges.

an example of the window dressing at which the government has become adept. In reality, Suharto is clearly no human rights hero, and there can be little improvement in the Indonesian human rights situation without significant structural change.

In view of the above, the following demands are proposed:

1. That the government respect human rights as reflected in the UN Human Rights Declaration. The government's recent reactive response to international opinion concerning human rights will only make it more difficult for Indonesia to find a niche for itself in the New World Order.
2. That the government and the Armed Forces re-evaluate the security approach and the infrastructure that supports it. The security approach, by actively employing the military apparatus, only promotes dependence and ignorance rather than educating society on how to independently achieve social stability. Let the Dili Incident and its many prologues and epilogues be a turning point for the ushering out of the era of armed violence and the ushering in of a new political life where civil rights are truly ensured.
3. That government and the Armed Forces take a realistic stance towards the international tendency to take human rights into account when measuring economic success, or to link human rights with the disbursement of economic aid. Donor countries' concern that their economic aid is not indirectly used to support oppression by fascist governments or armed violence in developing countries, should be respected.
4. That the government and the Armed Forces be realistic in facing up to the fact that human rights, as a manifestation of a new world solidarity, is now a real international concern. Only by taking this into account can we formulate realistic and comprehensive policies such that the political implications of human rights violations does not cause upsets in the economic and trade sector. The government and the Armed Forces should define what they mean by 'foreign intervention' rather than using the term sporadically and against national interests. Indeed, economic aid, the buying and selling of arms, multilateral and bilateral co-operation, could similarly be viewed as foreign intervention. Likewise we should remember the part played by foreigners in Indonesia's independence on 17 August 1945, that is, the role of international solidarity in achieving independence.
5. In the name of upholding democracy, the government must leave behind the typical defensive response to criticism arising from society. The government also must move from its usual stubborn stance in dealing with statements and national incidents. The habit of seeking a 'puppet master' or certain 'interests' behind the scene of every incident only illustrates the government's intention to avoid substantial resolution of a problem rather than taking responsibility for the effect of its policies. Transparent statements revealing the government's reactive and defensive position will only serve to determine international sympathy for Indonesia, apart from complicating the task of resolving problems in accordance with People's Rights.
6. Concerning the Dili Incident, we must remember that East Timor is a victim of the domino theory, the lack of a concept of a 'friendly neighbor' and also one of the possibility of non-invasionary security that prevailed at the time leading up to the invasion. But with the departure from the domino theory that has accompanied an increase in concern for national sovereignty, Indonesia's ability to maintain good relation with countries that share her national boundaries (such as Brunei, Malaysia and Papua New Guinea) and the emergence of military co-operation between countries of the region (Brunei, Malaysia, Papua New Guinea and Australia) in the midst of debates about the development of democracy and human rights, Indonesia's policy towards East Timor needs to be re-examined. The government must face up to the fact that East Timor is an international issue. Thus, in the interests of maintaining national dignity, the government must consider and take a position on issues of national sovereignty and self-determination. Only with the Indonesian government's recognition of the validity of the right to self-determination, rather than continuing to insist that the problem is an 'internal Indonesian affair', will the issue be truly resolved. Remembering the 1982 United Nations Resolution (no. 37/30) on the

question of Timor, which recognizes the "inalienable right of all peoples to self-determination and independence in accordance with the principles of the Charter of the United Nations", a **neutral** investigative team under the auspices of the United Nations remains a necessity. Infight proposes a 12-person team headed by Secretary General of the United Nations, Bhoutros Ghali, and comprising:

Vatican representative

Desmond Tutu

Aung San Kyu

Hashnan Ashrawi

Pat O'Shane

Mother Teresa

Bob Geldof

Lord Avebury

Erika Teepstra

Tony Hall

Dalai Lama

INFIGHT

February 1992

APPENDIX

The following people were detained following the murders at Motael church on October 28:

1. Bonifacio BARRETO, of Maliana, aged 20 years
2. Aleixo DA SILVA GAMA, of Laga, aged between 20 and 25 years.
3. Domingos SOARES, of Ermera, aged between 20 and 25 years
4. Domingo DA SILVA, of Bobonaro, aged 20/25
5. Nazerio TAVARES, of Baucau, aged 20/5
6. Jaulaio Mausiri, of Dili, aged 20/5
7. Valdamar DA SILVA, of Bazartete-Liquica, aged 20/5
8. Afonso RANGEL, of Viqueque, aged 20/5
9. Augusto SARMENTO, of Watulari, aged 20/5
10. Francelino GUTERRES, of Ossu, aged 20/5
11. Marcos DOS SANTOS, of Maliana 20/5
12. anuel EDUARDO, of Maliana , aged 20/5
13. Domingos BARRETO, of Maliana, aged 20/5
14. Jose SOARES, of Dili, Bairro Pite, aged 20/5
15. Augusto Diegas, of Same, aged 20/5
16. Julaio, of Baucau, aged 20/5
17. Gouveia, of Baucau, aged 20/5
18. Jacob BAPTISTE, of Dili, Villa Verde, aged 20/5
19. Bobby XAVIER, of Dili, Matadouro, aged 20/5
20. Olandino ARRETO, of Maliana, aged 20/5
21. Martinho GONCALVES, of Bobonaro, aged 20/5
22. David CONCEICAO , of Dili, Benori, aged ?

The following people were killed as a result of the Dili Massacre

Aghostino Tilamn Fernandes, 18 years, high school student:

Afonso, 18 years, high school student
Amelia, 17 years, high school student

Ana Romana Freitas, 25 years, unemployed
Andre Soares, 21 years, high school student
Aneta, 15 years, high school student
Antonio Clara Filipe Alves, 21 years.
Aristides dos Santos, 19 years, high school student
Aviano Antonio Faria, 18 years, high school student
Custodia Benevides, 15 years, high school student
Dionisio dos Santos
Domingos dos Santos, 21 years, high school student
Domingos, 18 years, high school student
Domingos, 10 years
Domingos Figurado, 27 years, teacher
Dos Reis
Duarte Acolito
Duarte da Silva, 22 years, Lorosae University student and Bank Summa footballer
Elidio Amaral, 25 years, student
Emilio Roberto, high school student
Eulalia Araujo, 17 years, high school student
Felipe, 24 years, university student
Francis da Silva, 18 years, resident of Dili
Franciso Laga, 21 years
Francisco da Silva, 20 years, high school student
Francisco Carlos (Abonno), 22 years, polytechnic student
Fredy da Costa, 17 years, high school student
Hacobio, 17 years, student
Jose Ximenes, 24 years
Jose Kodok, 22 years, unemployed
Jose Lemos Ximenes, 18 years, high school student
Leandro Isaac
Levi M. Corte Real, 18 years, high school student
Lito Calsona
Luis Alves, 21 years, high school student
Manuel da Silva, 14 years, high school student
Marcial da Silva, 14 years, high school student
Marcelino Guterres da Costa, student
Mario Miguel, 20 years, high school student
Miki Neve Reis
Milton Longhuinos, 16 years, high school student
Nunu, 28 years
Paula, 17 years, high school student
Paulo Freitas, 18 years, student
Prfirop da Costa, 24 years

Procopio Rego, 20 years
Rafael Tilman Fernandes, 20 years, high school student
Racobio, 17 years, student
Simplicio de Deus
Tomas Dias Imenes, student
Ulises Goncalves, 21 years, high school student
Varudo
Vincente Binaraga

Among the wounded were identified the following people

Agio (Pelajo) Dos Santos, 16 years
Alico dos Santos
Bernadino Mendes, 22 years
Crescencio Faria (Matos), 29 years, worker in the Department of Information
Emilio Araujo, 21 years
Isabel, student
Joana Amorim Dias
Joaquim Fernandes, 15 years, student
Juvita Maria Lourdes
Nelie Santo Ximenes, student
Ricardo Alves, 16 years, student

The following people have been reported as missing

Agapito de Deus, 19 years, student
Armando de Assis
Basilio Moniz, 50+ years
Dionisio Aires
Clementino Faria (Matos
Dionisio Alves (Nini)
Fabiao da Silva
Germano da Silva, 35/6 years
Gregorio, 25 years, unemployed
Ismail Jose dos Reis, 17 years, high school student
Joanico dos Santos Sarmento, 46 years
Joao Goncalves Soares
Joao Bosco Caceres
Jose Quintao Sarmento, 40 years, married with 7 children
Luis Joao (Alois)
Manuel Fatima Guterres, 49 years
R. Pereira
Tomas Dias Ximenes, student
Ulises Goncalves, 21 years, high school student
Vicente Paolo Madeira

The following people remain in detention in Jakarta:
(resident of) Jakarta

Joao F. Camara
Avelino Maria Coelho
Semarang
Domingos Barreto
Metodio Muniz
Francisco Vasco

Yogya
Jose Luis de Oliveira
Sergio P. Dias Quintas
Illidio da Costa

Malang
Antonio Maher Lopes
Vergilio da Silva G
Antonio Soares

Bandung
Filipe da Silva
Joao Sarmento Pinto
Fausto Bernadino
Gregorio de Araujo
Jose Maria C.B.X.

Bali
Agapito
Joao (alias) Travolta

Surabaya
Mario Alvero Canelas
Egas Q. Monteiro

Salatiga
Benevidos C. Barros

The following people were released from Metro Jaya Police Station on 26/11/91:

Bandung:
M. Renato M.D.C.,
Joao de Oliveira,
Paulo da Silva,
Adalfredo Ximenes,
Justino C. Soares,
Paulino Marques,
Victor Soares,
Jose Barreto,
Baptista Pascoal,
Gabriel Antonio Sa,
Nelson de Jesus,
Gastao M.G.,
Helder Luis X.J.,
Avelino Tilman,
Joanam F. Soares,
Leoniza Lopes,
Nelson Martins,
Jose Antonio Loyola,
Lidia Gomes,
Rosa da Costa,

Aventino F.,
Francesco da Cunha,
Lucia M. Cabral,
Felismina S.,
Regina de Esus,
Laurentio S.F.,
Francisco G.O. Ximenes,

Semarang:

Antonio Pereira,
Cesaltino Leao,
Joao Baptista,
Angelo Gondhino,
Claudio G. Pinto,
Manuel Soares,

Malang:

Vergilio da Silva Geterres,
Jacinto H.S.,
Rui Viana,
David Bosco Lay,
Dionisia Pinto,

Domingos dos Santos,
Faustino X.,
Miguel dos Santos,
Edith P.,

Yogyakarta:

Domingos dos Ramos,
Rogiero Pires,
Pertencio,
Flavio,
Joao Meco,
Demetrio,

Bali:

Anito Matos,
Jose Pompeia

Jakarta:

Jose A. A. Dias